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In re Application of  
Scott TREVINO et al.  
Application No. 09/683,130  
Filed: November 21, 2001  
Attorney Docket No GEMS8081.107

**OFFICE OF PETITIONS**

DECISION ON PETITION

This is a decision on the paper filed January 28, 2008, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to seek judicial review of the decision of the Board of Patent Appeals and Interferences (the Board) noticed to applicant on January 10, 2008.

In accordance with 35 USC 141 and 142, an applicant dissatisfied with the decision of the Board may make an appeal for U.S. Court of Appeals for the Federal Circuit within a time period of not less than 60 days from the date of the Board's decision. Since the period for filing an appeal has not expired, the Notice of Abandonment is premature.

In view of the above, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

This application is being referred to the Technology Center AU 2624 to await applicants' response.

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